

EXHIBIT H

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. NO. 04-11193NG

SHAWN DRUMGOLD,

PLAINTIFF :

VS.

TIMOTHY CALLAHAN, ET AL,

DEFENDANTS :

DEPOSITION of JOHN DALEY, a witness called on behalf of the Plaintiff, pursuant to the provisions of the Federal Rules of Civil Procedure, before Nancy M. Walsh, Certified Shorthand Reporter (#118593)/Registered Professional Reporter and Notary Public in and for the Commonwealth of Massachusetts, at the law office of Tommasino & Tommasino, Two Center Plaza, Boston, Massachusetts 02108, on Wednesday, November 15, 2006, commencing at 2:06 p.m.

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1 Q And how many detectives did you have in your unit in
2 August of 1988?
3 A The best I can do is guess. I have no memory.
4 MR. DONNELLY: Don't guess.
5 Q Can you give me an approximation?
6 A Maybe 12. That really is a speculative figure.
7 Q How were they organized?
8 A They were organized in teams with a sergeant.
9 Q How many in each team?
10 A It would vary, but usually it was two with each team.
11 Q That would be a sergeant and a detective?
12 A A sergeant and a couple of detectives.
13 Q As the head of the Homicide Unit, were you responsible
for arranging the training of the members of your unit?
14 A Yes.
15 Q And in 1988 and 1989, what kind of formal training was
there for homicide detectives?
16 A There was very little -- there were no schools for
homicide trainings. But there were a few people who did
that stuff, and one was a lieutenant detective from New
York City named Vernon -- Vernon Geberth or something
like that. I'm not sure of the last name.
17 Q And did you have your detectives trained by that fellow?
18 A Yes.

1 Q And how did you go about arranging that?
2 A I brought him to Boston.
3 Q This Vernon Givens (phonetic)?
4 A Yes.
5 Q And how many occasions did you bring him to Boston?
6 A I brought him once when I was there, and my memory is
7 that everybody in homicide went to it.
8 Q And did he run a seminar?
9 A I suppose you could call it a seminar.
10 Q How long a program did he run?
11 A Maybe three days. I can't tell you.
12 Q Was that held in Boston?
13 A It was at a local college, but I have no memory of where
14 it was.
15 Q But in the local Boston area?
16 A Yes.
17 Q Do you remember when that was?
18 A All I can do is make an estimate of 1988.
19 Q All right. Did all of the members of the Homicide Unit
20 go to that?
21 A To my knowledge, they did.
22 Q Did the fellow who ran that seminar give out any written
23 materials?
24 A He had a book.

1 Q Do you remember the name of the book?

2 A I can't remember the name, but it was certainly about the
3 homicide investigation. That was the whole -- that's
4 what the book was about.

5 Q Did everybody who went to the seminar get a copy of the
6 book?

7 A I hope they did, but I don't know.

8 Q Did you go to the seminar?

9 A I never went to the seminar.

10 Q Did you require that the Homicide Unit members go to the
11 seminar?

12 A I did.

13 Q Do you remember any other formal homicide investigation
14 training that was put on while you were head of the
15 Homicide Unit?

16 A Yes, there were other schools. I went to other schools.

17 Q Do you remember where you went to other schools?

18 A One was in New York with the New York State Police, and
19 that was up in Albany or -- it was upstate New York. I'm
20 not sure.

21 Q Did you keep track anywhere in your records of the
22 training that members of your unit had attended or taken?

23 A Did I keep track of the records?

24 THE WITNESS: Can I speak to you for a

the performance of the members of your unit?

1
2 A No.

3 Q When decisions about promotions were being made, was your
4 opinion solicited?

5 A No.

6 Q Was there any procedure whereby you would review the
7 status of ongoing investigations?

8 A I would talk with all officers involved on every case, if
9 that's what you're asking.

10 Q And that would just be part of your daily routine?

11 A Yes.

12 Q Was there any formal procedure whereby every certain
13 period of time or certain particular times you would sit
14 down on open cases and review them?

15 A There was no formal procedure, but we did it all the
16 time.

17 Q Were there ever meetings, full unit meetings?

18 A Well, there weren't that many people there. And it was a
19 small office, a small floor, and we gathered many times
20 and talked over cases.

21 Q As part of your day-to-day --

22 A Yes.

23 Q -- processing?

24 A Yes.